United Nations S/PV.4676

Security Council

Fifty-seventh year

Provisional

4676th meeting

Thursday, 19 December 2002, 4 p.m.
New York

President:	Mr. Valdivieso	(Colombia)
Members:	Bulgaria	Mr. Yakimov
	Cameroon	Mr. Tidjani
	China	Mr. Chen Xu
	France	Mrs. D'Achon
	Guinea	Mr. Zoumanigui
	Ireland	Mr. Kavanagh
	Mauritius	Mrs. Huree-Agarwal
	Mexico	Mrs. Arce de Jeannet
	Norway	Mr. Kolby
	Russian Federation	Mr. Gatilov
	Singapore	Mr. Yap
	Syrian Arab Republic	Mr. Atieh
	United Kingdom of Great Britain and Northern Ireland	Mr. Harrison
	United States of America	Mr. Delgado

Agenda

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

Report of the Security Council mission to Kosovo and Belgrade, Federal Republic of Yugoslavia.

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

02-74975 (E)

The meeting was called to order at 4 p.m.

Adoption of the agenda

The agenda was adopted.

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

Report of the Security Council mission to Kosovo and Belgrade, Federal Republic of Yugoslavia (S/2002/1376)

The President (*spoke in Spanish*): I should like to inform the Council that I have received a letter from the representative of Yugoslavia, in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In accordance with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Sahovic (Yugoslavia) took a seat at the Council table.

The President (*spoke in Spanish*): The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them photocopies of the report of the Security Council Mission to Kosovo and Belgrade, Federal Republic of Yugoslavia, from 13 to 17 December 2002. This report will be issued as Security Council document S/2002/1376.

The Security Council will now hear a briefing by His Excellency Mr. Ole Peter Kolby.

I give the floor to Mr. Kolby, Head of the Security Council Mission to Kosovo and Belgrade, Federal Republic of Yugoslavia.

Mr. Kolby: It is an honour for me to introduce the report on the recent Security Council Mission to Kosovo and Belgrade, Federal Republic of Yugoslavia. At the invitation of the Special Representative of the Secretary-General in Kosovo, Michael Steiner, the Security Council decided to send a Mission there. I was asked, and I accepted, to head the Mission.

On 19 November, the Council decided that the visit should take place from 13 to 17 December, and a specific mandate was decided upon. Earlier Council Missions to Kosovo had taken place in April 2000 and in June 2001.

According to the mandate, the Mission had the following objectives: first, to find ways to enhance support for the implementation of Security Council resolution 1244 (1999) and the work of the United Nations Interim Administration Mission in Kosovo (UNMIK).

To this end, the second objective was to observe UNMIK's operation and the situation on the ground and, specifically, to obtain an update on Special Representative of the Secretary-General Steiner's benchmarks, including the rule of law, the rate of sustainable return and the privatization agenda. In addition, it was to face the challenges faced by UNMIK, particularly the follow-up to the local elections, decentralization in Mitrovica and to report its conclusions to the Security Council.

Thirdly, the Mission's objective was to convey a strong message to the provisional institutions for self-government, local leaders, the newly elected municipal officials and all others concerned about the need to, first, use the opportunity created by the local elections to move forward with the decentralization process and to further develop democratic institutions; secondly, promote inter-ethnic reconciliation and inclusion; thirdly, reject all violence and condemn extremist and terrorist activities; fourthly, ensure public safety and order and promote stability and security; and, finally, support the full and effective implementation of Security Council resolution 1244 (1999) and fully cooperate with UNMIK and the international security presence to these ends.

The Mission's fourth objective was to explore ways to enhance cooperation between UNMIK and the authorities of the Federal Republic of Yugoslavia, on the basis of the UNMIK-Federal Republic of Yugoslavia Common Document of 5 November 2001, and the opportunities for increased cooperation between Pristina and Belgrade.

The fifth objective of the Mission was to look at the impact of the regional situation on the work of UNMIK.

All Council members decided to be represented in the Mission.

As planned, the Mission was able to travel on 13 December, and during our four days in Kosovo and Belgrade, Federal Republic of Yugoslavia, we had an intensive programme, meeting with the representatives of the international community, Kosovo politicians, Yugoslav authorities and civil society groups in Pristina, Mitrovica and Belgrade.

As head of the Mission, I gave two press conferences, one in Pristina and one in Belgrade, and had to give a number of statements to the press after specific meetings.

In Pristina, on 14 and 15 December, the Mission met with the Special Representative of the Secretary-General, Mr. Michael Steiner, and his staff for briefings on the work of UNMIK and assessments of the situation.

We met with representatives of the provisional institutions of self-government, including President Ibrahim Rugova, Prime Minister Bajram Rexhepi, President of the Assembly Nexhat Daci and the Inter-Ministerial Coordinator for Returns, Milorad Todorovic.

We met with representatives of the Kosovo Assembly from all major Kosovo Albanian parties and the Kosovo Serb coalition, as well as representatives of other ethnic communities. Members of the Mission met with families of missing persons. On Sunday, 15 December, the Mission received a briefing from KFOR on the security situation and the main tasks and challenges of the international security presence.

The briefing was led by the KFOR Commander, Lieutenant General Fabi Mini. It then went to Mitrovica. In northern Mitrovica, the Mission was briefed on the Kosovo Trust Agency and the process towards privatization. We had a meeting with representatives of Serb and Bosnian civil society in northern Mitrovica. The Mission then walked across the bridge to southern Mitrovica to receive a briefing from the Special Representative, the Mitrovica regional administrator and the Mitrovica municipal administrator on the evolution of UNMIK's presence in northern Mitrovica and the status of implementation of UNMIK's Mitrovica strategy. This was followed by a meeting with the Presidents of the municipal assemblies in the Mitrovica region, three of whom are Kosovo Albanians and three Kosovo Serbs.

We visited the Kosovo Police Service (KPS) in Vucitrn, where we were briefed by the Director, Mr. Steven Bennet, and the Police Commissioner, Mr. Stefan Feller, as well as a high-ranking KPS officer, Colonel Ahmeti and where we met with a multi-ethnic group of KPS officers.

Back in Pristina, we had a meeting on return with leaders of returnees from Kosovo Albanian and Kosovo Serb communities, with the municipal assembly presidents of Gnjilane municipality, as well as with representatives of the Office of the United Nations High Commissioner for Refugees and of various non-governmental organizations. In Pristina, we also had a meeting with deputies from various political parties from the Pristina municipal assembly. The day ended with a meeting with women representing different ethnic communities, members of the political establishment and civil society.

On Monday, 16 December, at the end of the visit, I held a joint conference with Special Representative Steiner before leaving for Belgrade. In Belgrade, we had separate meetings that day with the President of the Federal Republic of Yugoslavia, Vojislav Kostunica, the Serbian Prime Minister, Goran Djinjic, the Serbian Deputy Prime Minister and the President of the Coordination Centre of the Federal Republic of Yugoslavia and the Republic of Serbia for Kosovo and Metohija. Members of the Mission had a meeting with the representatives of the Serbian Association of Families of Missing Persons. On Tuesday, 17 September, the Mission met with the Federal Minister for Foreign Affairs, Goran Svilanovic. At the end of our visit, the Mission held a press conference.

Allow me, in this context, to express our appreciation to UNMIK and to Special Representative Steiner, as well as to the Security Council secretariat, for an excellent programme and for the impressive organization of the visit.

These are our findings on Kosovo. Since the last Mission of the Security Council to Kosovo, the Mission finds notable progress in several areas with regard to implementation of Security Council resolution 1244 (1999). Elections held for the Kosovo Assembly in 2001 and in municipalities in 2002 have led to the formation of the Provisional Institutions of Self-Government and the new municipal assemblies.

The process of handing over power and responsibilities to the local institutions continues.

There is also progress in the area of the rule of law. Crime rates are down, and security is improving. The Kosovo Police Service continues to increase in numbers, and the judiciary is in the process of being established, both of them as multi-ethnic bodies. For the first time, the number of minority returns is larger than that of those leaving. Nevertheless, the overall figures of internally displaced persons and refugees from minority communities returning remains low. The Mission noted a sharp contrast between the number of returnees and the number of those who still remained internally displaced, as well as the daunting task that lies ahead and the financial implications of that task. There is also progress in the preparations for the privatization process.

Cooperation between UNMIK and Belgrade has improved. The establishment of UNMIK administration in the northern part of Mitrovica has been necessary for the implementation of a uniform standard of administration throughout Kosovo and marks an important move against parallel institutions. The Mission believes that UNMIK's presence in the northern part of Mitrovica is an important step forward for the normalization of living conditions in the city. In that respect, the Mission is impressed by the work of UNMIK and KFOR. It also notes the interest in, and dedication to, this work by some members of the community in Kosovo.

The formulation of benchmarks for a realization of standards is a constructive approach for the further development of Kosovo towards a democratic, multi-ethnic society. The Mission looks forward to the next report on UNMIK, with a further detailing of the benchmarks, so as to measure progress. The Mission hopes that these can be worked out with local authorities in Kosovo in order to build local ownership of them. The Mission holds the view that "standards before status" is the only viable way forward.

The Mission was consistent in its message to all interlocutors regarding "standards before status", multi-ethnicity and integration of all communities, and their responsibility for the full implementation of resolution 1244 (1999). It urges the newly elected bodies to use their competencies, transferred in accordance with the Constitutional Framework, for the benefit of all inhabitants. The Mission stresses the importance of participation by all communities in the work of the elected bodies.

The Mission notes that, in spite of these positive developments, the situation in Kosovo remains fragile. Much work remains to be done, by both UNMIK and the Kosovo institutions and communities. This covers, inter alia, the rule of law, sustainable returns, local ownership of Kosovo's progress, democratic development, inter-ethnic reconciliation and dialogue, cooperation between Pristina and Belgrade and the combat against organized crime.

The firm establishment of the rule of law is central to achieving security, functioning democracy and sustainable economic development. Even though there has been notable progress in this area, the Mission finds that a continued strong effort is necessary to achieve the goals in this area.

The sustainable return of minorities is a precondition for a multi-ethnic society. A considerable amount of attention and resources should be dedicated to this issue. Even more than financial assistance, there is a need for region-wide and local commitment to supporting conditions for sustainable returns. Security, confidence-building and economic viability are all vital factors that must be addressed in order to achieve a significant, sustainable and successful return process. This is a responsibility for all levels of Kosovo society. UNMIK should, together with local institutions and civil society, continue to work, with a comprehensive approach, in order to move the return process forward.

Reconciliation and dialogue measures are paramount in this regard. One important contribution to reconciliation between the communities is the resolution of the fate of the missing persons from all communities. UNMIK is encouraged to press forward on these issues in consultation with the International Committee of the Red Cross (ICRC), KFOR, the Provisional Institutions and concerned local non-governmental organizations, and with Belgrade. UNMIK is requested to keep the Council regularly informed. The Council is urged to continue to follow the issue.

The Mission points out that the progress achieved so far has been driven to a large extent by the international community. The Mission has the firm impression that local ownership and commitment to these processes has been less than could have been expected. It is important that UNMIK make further

efforts to involve the local institutions and political leaders in the practical formulation and implementation of political goals and strategies. A case in point is the further specification and implementation of the benchmarks for the eight standards articulated in the "standards before status" policy. A greater degree of local ownership of, and commitment to, the realization of those standards is a prerequisite for their ultimate successful implementation. Naturally, the communities themselves also have a critical responsibility in that regard.

The recently held municipal elections were conducted in a well-organized and non-violent fashion. Participation levels were on average disappointingly low, and especially so with regard to Kosovo Serbs. Greater effort must be made to promote participation in the political process in Kosovo. Effective participation by all communities in those institutions is a prerequisite for a functioning democracy in Kosovo. Special emphasis is given to the inclusion of, and respect for, the views and interests of all communities by the local institutions. The Mission stresses a results-oriented approach through consensus.

The Mission underscores the necessity that elected representatives act in a responsible and solution-oriented manner in order to provide basic services for the inhabitants of their municipalities. The Mission emphasizes that the handing over of responsibilities from UNMIK administrators to the locally elected bodies needs to be done in a way that ensures local ownership and accountability. There are huge tasks for the municipal assemblies to address. Municipalities have a particular responsibility to foster dialogue, reconciliation and conditions for sustainable return, and to act against corruption. UNMIK should support efforts in that regard.

The Mission urges UNMIK, in consultation with local institutions and elected representatives, to further elaborate the proposal for the decentralization of competences to municipalities without delay.

It is the opinion of the Mission that the time has come for cooperation between Pristina and Belgrade on practical issues. UNMIK should consider ways and means of facilitating such contacts and practical cooperation. The Provisional Institutions of Self-Government should similarly take steps within their competences to make that possible.

The Mission underscores the importance of viewing developments in Kosovo in a regional perspective. Events in Kosovo have an impact on the surrounding region and vice versa. That is linked not only to political issues, but also to security, law and order and economic development. The Mission points to the need for regional cooperation in order, for example, to effectively combat organized crime, including trafficking.

In the light of the many difficult issues yet to be resolved, the Mission is of the view that continued substantial international engagement in Kosovo will be necessary for the foreseeable future.

The Mission would like to express its appreciation to Special Representative Michael Steiner and the staff of UNMIK for their efforts to realize the decision of the Security Council. The Mission likewise expresses its gratitude to General Fabio Mini and KFOR. The implementation of resolution 1244 (1999) remains high on the Security Council's agenda, and the Mission is impressed by the hard-working dedication of the men and women, local and international, of UNMIK, working together with local and international partners, to implement that resolution.

Those are the findings of the Mission.

Finally, let me thank my fellow Council members for their constructive participation in the Mission.

The President (*spoke in Spanish*): On behalf of the Council, I should like to express gratitude and appreciation to all the members of the Mission, which was so ably led by Ambassador Kolby, for the manner in which they discharged their important responsibility on the Council's behalf.

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 4.25 p.m.